

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

PORTLAND GENERAL ELECTRIC
COMPANY; AVISTA
CORPORATION; PACIFICORP; and
PUGET SOUND ENERGY, INC.,

Plaintiffs,

vs.

NORTHWESTERN CORPORATION;
and TALEN MONTANA, LLC,

Defendants.

CV 21-47-BLG-SPW-KLD

ORDER

On May 4, 2021, Plaintiff provided notice to the Attorney General for the State of Montana that Plaintiffs have filed a complaint in which they challenge the constitutionality of a Montana state statute. (Doc. 4.) In recognition of Plaintiffs' notice and in accordance with the directive of 28 U.S.C. § 2403 and Federal Rule of Civil Procedure 5.1(b), the undersigned hereby certifies to the Honorable Austin Knudsen, Attorney General for the State of Montana, that the constitutionality – under Article I, Section 10, Clause 1 to the United States Constitution and Article II, Section 31 to the Constitution of the State of Montana – of the following Montana statute has been called into question by pleadings in the above-referenced action:

S.B. 265, 67th Leg., Reg. Sess. § 1 (Mont. 2021) (codified as Montana Code Annotated § 27-5-323(2)).

The Clerk of Court is directed to serve a copy of this Certification by certified mail upon the Honorable Austen Knudson at the following address:

Department of Justice
P.O. Box 201401
Helena, MT 59620-1401

DATED this 5th day of May, 2021.



Kathleen L. DeSoto
United States Magistrate Judge